

**REMARKS**

Claims 1-14 have been amended to place the claims into accordance with US claim practice without modifying or amending the scope of the claims. No new matter has been added. Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

In the Notice of Draftsperson's Patent Drawing Review Form PTO 948 which accompanied the Office Action, the Applicant noted that the drawings were objected to under 37 C.F.R. § 1.84(h) and (i) due to the character of lines, numbers and letters, and because the views were not properly labeled. The Applicant is submitting herewith amended replacement drawing figures which are asserted to comply with §§ 1.84 as set forth above. The Applicant respectfully requests that the objection to the drawings be withdrawn in view of the replacement drawing figures appended hereto.

Claims 12-14 were rejected under 35 U.S.C. § 112 second paragraph for being indefinite and failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Applicant respectfully traverses the rejections, but has amended the application to overcome the objections. Claims 12-14 have been amended. It is asserted that all claims comply with 35 U.S.C. § 112. The Applicant respectfully requests that the rejections of claims 12-14 under 35 U.S.C. § 112 second paragraph be withdrawn.

Claims 1-8, 10, 12, 14 were rejected under 35 U.S.C. § 102 (e) as being anticipated by Bayless. The Applicant respectfully traverses the rejections.

To anticipate a claim, a reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either

expressly or inherently described, in a single cited reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Therefore, all claim elements, and their features, must be found in the cited reference to maintain a rejection based on 35 U.S.C. § 102. The Applicant respectfully submits that Bayless does not teach every element of independent claims 1 and 8, and therefore fails to anticipate claims 1 and 8.

The Applicant set forth in independent claim 1, a method in conjunction with making a telecommunication call. The method includes a means of searching included in a telecommunication terminal arrangement being used to directly or indirectly at least partially browse through dial numbers stored in the telecommunication terminal arrangement to locate a desired dial number. The method also includes a means of commanding included in the telecommunication terminal arrangement being used to command a transmitter of the telecommunication terminal to begin making a call to a final, retrieved dial number.

The Applicant sets forth in independent claim 8, a telecommunication terminal arrangement comprising a transmitter, a dial number memory, means for searching to locate a desired dial number in the phone number memory, means of commanding to command the transmitter to begin making a call to a phone number retrieved from the memory. The arrangement also includes a graphic memory including graphic information which illustrates the owners of phone numbers included in the memory. The graphic memory is linked to and functions together with phone number memory so that

while a user is directly or indirectly browsing phone numbers, the arrangement displays graphic information related to the owners of the numbers on a display included in the arrangement and/or a display connected to the arrangement. The graphic memory includes a menu structure including several main categories. The main categories include one or more sub-categories and/or members of the main category.

In summary, the present invention set forth a method and telecommunication terminal arrangement in conjunction with making a telecommunication call. In the method, the terminal arrangement includes a means for searching used to locate a desired phone number in a phone number memory. The method also includes a means for commanding used to command a transmitter to begin making a call to a phone number retrieved from the phone number memory.

The method also provides, in conjunction with the direct or indirect browsing, graphic information, which identifies the owner of each dial number. The graphic information is stored in a graphic memory of, and is displayed on a display of, the telecommunication terminal arrangement. While displaying the graphic information identifying owners of the dial numbers on the display, a move occurs from one main category of the graphic memory to another main category. Within a desired main category, a move also occurs between sub-categories and/or members of the main category.

The terminal arrangement includes a graphic memory having graphic information descriptive of the owners of the phone numbers in the number memory. The multimedia based graphic memory is linked to and functions together with the number memory to

display graphic information related to the owners of the phone numbers as the user browses through the numbers.

While displaying the graphic information to the user, the image being displayed from the graphic memory moves from one category to another, and also moves between sub-categories within a category. The Applicant's invention uses communication terminals, such as PDA's, mobile terminals, PCs, and digital televisions to display e.g., hierarchic multimedia based graphical information.

In contrast to the Applicant's claimed invention, Bayless discloses a method for displaying the local time, and the location of a calling party of a telephone call for the benefit of a user of the system. Moreover, Bayless merely teaches a computer telephone system that can be used to display e.g., the name and number of a user.

*fig 14-  
page*

In the method disclosed by Bayless, at least a portion of the ANI or Caller ID data is used to access database information to determine the place of origin and the local time of the calling party. The local time and place is then displayed to the user of the system.

The Office Action appears to suggest that the graphic window of Bayless is equivalent to the graphic information identifying the owner of a dial number of the Applicant's claimed invention. The Applicant respectfully disagrees.

The Applicant sets forth in the instant specification, displaying graphic information which illustrates and is related to the owners of the dial phone numbers (page 1, second full paragraph). Further, the Applicant sets forth that the graphic information is similar to photographic information (page 5, third full paragraph). Additionally, as set forth in Figs. 1 and 2, and on page 7, lines 5-7, the Applicant sets forth displaying the image of the

*not in  
the  
claim*

person calling. Further, both of claims 1 and 8 clearly state that a certain piece of graphic information relates to a certain dial number in the dial number memory and not merely caller ID information as set forth in Bayless.

not  
in the  
claim

Thus, Bayless is different from the Applicant's claimed invention because Bayless merely discloses a graphic window whereas the Applicant sets forth displaying graphic information identifying the owner of a dial number as set forth in the Applicant's claimed invention.

The Office Action also suggests that Bayless teaches that while displaying graphic information, a move occurs from one main category of the graphic memory to another main category, and within a desired main category, a move occurs between sub-categories and/or members of the main category. The Applicant respectfully disagrees.

Further, the Office Action suggests that the equal multiple windows displayed simultaneously as disclosed in Bayless is the same as the movements between categories and sub-categories as set forth in the Applicant's claimed invention. The Applicant again respectfully disagrees.

In Bayless, e.g., a button in a main window may cause a sub-window to pop up. The sub-window displays further information about a desired function. This is not the same functionality that relates to moving between categories as described in the Applicant's claimed invention.

From one  
window  
to pers  
other

In contrast to Bayless, the Applicant sets forth that the graphic memory includes a menu structure, which includes several main categories which also include several sub-categories (page 2, sixth full paragraph). The menu structure includes one or more main categories such as health care, transportation, stores, agencies, relatives, friends, and

etc. The main categories include sub-categories such as ambulance, physician, druggist, and etc. (page 3, second paragraph from the bottom of the page).

The Applicant also sets forth that a move is made from one image to the next in the graphic memory by touching, pressing or otherwise activating the display. The display may be automatically replaced after a specific delay, such as with an auto-scrolling function (bottom two paragraphs of page 5 through top of page 6). In the Applicant's invention, a piece of graphic information identifies the owner of the corresponding dial number.

*not in the claim*

Additionally, the Applicant sets forth in claims 1 and 8 that the graphic memory is categorized by its structure and pieces of graphic information (related to dial numbers in the dial memory) are included under the main categories. Bayless does not teach any form of categorization wherein, for example, each sub-category (a piece of graphic information) may refer to a certain dial number.

Bayless is different from the Applicant's claimed invention because Bayless acts to display windows and pop-up sub-windows whereas the Applicant sets forth categories and sub-categories including images that move from one image to the next.

For the reasons set forth above, Bayless is different from the Applicant's claimed invention because the Applicant sets forth a menu structure used to categorize pieces of graphic information (related to dial numbers) whereas Bayless merely teaches a graphical user interface allowing a user to perform a large number of functions associated with calling and called parties. Thus, Bayless does not and cannot anticipate the Applicant's invention as set forth in claims 1 and 8. The Applicant respectfully

*graphics adapted characters*

requests withdrawal of the rejection of claims 1 and 8 under 35 U.S.C. § 102(b) as being anticipated by Bayless.

Dependent claims 2-7, 10, 12 and 14, which are dependent from independent claims 1 and 8, respectively, were also rejected under 35 U.S.C. §102(b) as being unpatentable over Bayless. While the Applicant does not acquiesce to the particular rejections to these dependent claims, it is asserted that these rejections are moot in view of the remarks made in connection with independent claims 1 and 8. These dependent claims include all of the features of the base claim and any intervening claims, and recite additional features which further distinguish these claims from the cited references. Therefore, dependent claims 2-7, 10, 12 and 14 are also in condition for allowance. The Applicant respectfully requests withdrawal of the rejection of claims 2-7, 10, 12 and 14 under 35 U.S.C. § 102(b) as being anticipated by Bayless.

Claims 9, 11, 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bayless in view of Iwata. The Applicant respectfully traverses the rejections.

Three criteria must be met to establish a *prima facie* case of obviousness. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference. Second, there must be a reasonable expectation of success. Finally, the cited reference, or combination of references, must teach or suggest all the claim limitations. MPEP § 2142. The Applicant respectfully traverses the rejection because the cited references fail to disclose all the claim features.

Iwata discloses a mobile information terminal. However, Iwata fails to make up for the deficiencies of Bayless. Iwata, even if combined with Bayless, fails to disclose

graphic information identifying the owner of a dial number and a move from one main category of a graphic memory to another main category, and within a desired main category, a move between sub-categories and/or members of the main category.

For at least the reasons set forth above, the Applicant asserts that the proposed combination of Bayless and Iwata does not disclose all the features taught in the Applicant's claimed invention as set forth in independent claims 1 and 8. Therefore, claims 1 and 8 are allowable over the proposed combination.

Further, dependent claims 9, 11, and 13, which are dependent from independent claim 8, were rejected under 35 U.S.C. §103(a) as being unpatentable over the proposed combination of Bayless and Iwata. While the Applicant does not acquiesce to the particular rejections to these dependent claims, it is believed that these rejections are moot in view of the remarks made in connection with independent claims 1 and 8. These dependent claims include all of the features of the base claim and any intervening claims, and recite additional features which further distinguish these claims from the cited references. Therefore, dependent claims 9, 11, and 13 are also in condition for allowance. The Applicant respectfully requests that the rejections of claim 9, 11, and 13 under 35 U.S.C. § 103(a) as being unpatentable over Bayless and Iwata be withdrawn and the application immediately passed to issue.



### CONCLUSION

In view of the amendments and reasons provided above, it is believed that all pending claims are in condition for allowance. The Applicant respectfully requests favorable reconsideration and early allowance of all pending claims.

If a telephone conference would be helpful in resolving any issues concerning this communication, please feel free to contact the Applicant's agent, Fredrick T. French III at (952) 253-4123.

Respectfully submitted,

Altera Law Group, LLC



Date:

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By:

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